

REMARKS/ARGUMENTS

Claims 27, 29-31, 33-38, 40, 42-44, and 48-50 are pending.

Drawings

Figure 8 has been amended to show the feature of pocket implants further doped with a blanket implant as claimed. Support for this amendment can be found in the specification as originally filed, such as by at least claim 7.

35 U.S.C. § 112

Claims 27, 29-31, 33, 34, 35-38, 40, 42-44, and 48-52 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Examiner states that “[i]t is not clear where in the originally filed specification support for ‘further doping the first pocket implant and the second pocket implant with a blanket implant’ or ‘wherein the first and second pocket implants are further doped with a blanket implant’ [emphasis added] can be found.” (Office Action: p. 3). Applicants respectfully disagree and direct examiner’s attention to claim 7 of the application, as originally filed. Claim 7, as originally filed, recites “[t]he transistor of claim 6, wherein the pocket implants are further doped with a blanket boron implant.” Accordingly, applicants request reconsideration and withdrawal of this rejection.

35 U.S.C. § 103(a)

Claims 27, 29-31, 33-38, 40, 42-44, and 48-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over cited references, US patent 5,763,921 to Okumura et al. (“Okumura”), US patent 5,466,957 to Yuki et al. (“Yuki”), and US patent 5,583,067 to Sanchez (“Sanchez”). However, the cited references, individually and in combination, do not discuss or suggest each and every feature of the present invention as claimed.

For example, independent claim 27 recites, in part, "... further doping the first pocket implant and the second pocket implant with a blanket implant" Similarly, independent claims 35, 38, and 42 recite, in part, "... the first and second pocket implants are

further doped with a blanket implant." Nowhere do the cited references discuss or suggest this feature.

An obviousness analysis under 35 U.S.C. § 103 requires that the references must be considered as a whole and must suggest the desirability of making the combination. (MPEP 2141). Examiner acknowledges that "Yuki and Sanchez are silent to a further implant wherein the pocket implants are further doped with a blank implant." (Office Action: p. 9). Therefore, Yuki and Sanchez do not, in any way, suggest the feature as claimed or its desirability. In addition, Examiner further acknowledges that "Okumura does not teach pocket implants." (Office Action: p. 5). Therefore, Okumura does not suggest further doping the first pocket implant and the second pocket implant with a blanket implant as claimed.

Applicants submit that examiner has used impermissible hindsight, based on the applicant's specification, to modify and combine the cited references. Examiner makes a conclusory determination that the cited references can be combined "in order to optimize the threshold voltage of the transistor as stated by Okumura in column 12, lines 48-51 and column 13, lines 1-4." (Office action: p.8). However, these passages of Okumura relied upon by examiner may merely discuss benefits of impurity peaks in an element region. The passages do not support examiner's conclusion that Okumura provides motivation to combine the references in the manner claimed.

Applicants submit that even if Okumura, Yuki, and Sanchez were combined, and there is no clear suggestion to do this, the resultant combination would still fall short of the present invention as claimed. Examiner relies on boron implant steps illustrated by Figs. 13 and 18 of Okumura. Okumura's boron implant steps occur prior to formation of gate electrode 8. However, in Yuki, implantation of a high concentration layer 21a (analogized by examiner to be pocket implants) occurs after formation of gate electrode 24 as illustrated by Fig. 3B. Thus, boron implant steps discussed in Okumura must necessarily occur prior to implanting pocket implants. The combination of Okumura and Yuki suggests, if anything, implanting in an element region prior to implanting pocket implants, and teaches away from further doping of pocket implants.

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Accordingly, independent claims 27, 35, 38, and 42 should be allowed for at least these reasons. Claims 29-31, 33-34, 36-37, 40, 43-44, and 48-52, which depend from above independent claims, should be allowed for at least a similar rationale as discussed for the independent claims, as well as the additional features they recite.

CONCLUSION

In view of the foregoing, applicants believe all claims now pending in this application are in condition for allowance and an action to that end is respectfully requested.

If the examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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Amendment(s) to the Drawings:

The attached sheet of drawings includes changes to Fig. 8. This sheet, which includes Fig. 8 replaces the original sheet including Fig. 8.

Attachments: Replacement Sheet
Annotated Sheet Showing Changes

